

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL ANTHONY COMER,
Defendant.

Case No. 5:24mj00049

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Benjamin Thorn, a Special Agent with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), and Homeland Security Investigations (HSI), being duly sworn, depose and state as follows:

A. Purpose of Affidavit

I submit this affidavit to establish probable cause in support of a criminal complaint charging MICHAEL ANTHONY COMER, (“COMER”) with one violation of 18 U.S.C. § 2422(b) (coercion and enticement) occurring between sometime from on or about March 12, 2024 through on or about April 7, 2024, in the Western District of Virginia.

B. Introduction and Agent Background

1. I am presently employed as a special agent with the United States Homeland Security Investigations (HSI), where I have worked since June 2023.

2. I am presently assigned as a sworn law enforcement officer to the Resident Agent in Charge (RAC) Harrisonburg, Virginia office for HSI. In that capacity, my duties include investigating federal criminal offenses, including crimes involving child exploitation, sextortion of minors, possession, production, and distribution of child sexual abuse material (CSAM), money

laundering proceeds from specific unlawful activities, and violations of federal customs and immigration law.

3. During my tenure I have completed approximately 480 hours of instruction in the Criminal Investigator Training Program (CITP) and approximately 480 hours of instruction in the Homeland Security Investigations Special Agent Training (HSISAT) at the Federal Law Enforcement Training Center in Glynco, Georgia (FLETC). During training I received Cyber Crimes Investigations Training, Child Exploitation Training, classroom instruction, and practical exercises involving the Fourth Amendment search and seizures. As a special agent, I have participated in child sexual exploitation investigations.

4. Prior to my tenure as a special agent with HSI, I was previously employed as a State Trooper for the West Virginia State Police ("WVSP") for approximately ten (10) years. While employed with the WVSP, I successfully investigated, arrested, and prosecuted individuals for varying crimes, including but not limited to, murder, sex crimes (including solicitation of minors and possession of child pornography), violent crimes against persons, property crimes, financial crimes, drug and narcotics violations, and weapons violations. As a uniformed officer with the West Virginia State Police, I completed over 1,000 hours of instruction in various areas of criminal investigations at the WVSP training academy in Dunbar, West Virginia.

5. I have received additional specialized training in areas of advanced interview & interrogation, child crimes, sex crimes, drug/narcotic interdiction, crime scene processing, and financial investigations.

6. Prior to my employment with the WVSP, I was employed as a patrol officer with Cumberland Township Police Department and East Washington Police Department in Southwestern Pennsylvania, for approximately one (1) year. During my role as a patrol officer, I

was responsible for responding to emergency calls for service, secured crime scenes and took initial police reports for larger crimes before detectives arrived on scene.

7. Prior to my time as a patrol officer, I attended training at the Westmoreland County Community College, ACT 120 Police Academy. I obtained the ACT 120 Municipal Police Certification which was over 900 hours of specialized police training. I also hold a Bachelor of Science in Criminal Justice, with a focus on Law and Justice, from California University of Pennsylvania.

C. Sources of Information

8. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included details of every aspect or each and every fact known to me concerning this investigation. I make this affidavit based on personal knowledge, and information received from other law enforcement officers and/or agents. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided by another law enforcement officer or witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken, or whose reports I have read and reviewed. Such statements are among many statements made by others and are stated in substance and in part unless otherwise indicated. Further, my interpretations and explanations of the significance of certain events, records, and statements discussed herein may evolve or change as the investigation progresses and/or new information is discovered. I have set forth only the facts that I believe are necessary to establish probable cause.

D. Applicable Law

9. Attempted coercion and enticement, 18 U.S.C. § 2422(b), includes the following elements: (1) the defendant attempted persuaded, induced, enticed, or coerced, (2) another person

who had not attained the age of 18 years, (3) to engage in prostitution or in any sexual activity for which any person could be charged with a criminal offense, (4) in doing so, the defendant used mail, any facility of means of interstate or foreign commerce, or the conduct occurred within the special maritime and territorial jurisdiction of the United States, and (5) the defendant did so knowingly. “[S]exual activity for which any person could be charged with a criminal offense does not require interpersonal physical contact, and includes the production of child pornography, as defined in section 2256(8).” 18 U.S.C. § 2427.

E. Probable Cause

A. COMER Uses Snapchat Accounts

10. Snapchat provided documents to law enforcement showing that IP address 73.147.144.29 (“IP ADDRESS”) which is primarily used to access Snapchat accounts macomer23 and chrisjones6480, is registered to COMER and his current address is listed as the billing address, which is located in the Western District of Virginia at 185 Alger Lane, Broadway, VA 22815.

11. Law enforcement obtained records confirming that COMER is the registered user of telephone number (540) 578-1713 (“COMER’s CELL PHONE NUMBER”). COMER’s CELL PHONE NUMBER is the registered phone number for Snapchat account macomer23.

12. Snapchat account chrisjones6480 has a registered email address of macomer23@yahoo.com, which is primarily accessed with the IP ADDRESS.

13. Therefore, because COMER is associated with the IP ADDRESS, I believe that COMER is the primary user of Snapchat accounts macomer23 and chrisjones6480.

B. COMER Uses CashApp and PayPal

14. CashApp account C_0mec28yjt is registered to **COMER’s** prior residence which law enforcement confirmed was his residence at the time of creation of this account and the account

is registered using **COMER's** name and social security number. CashApp account C_0qcwjamjc is registered to the **COMER's** prior residence which law enforcement has confirmed was his residence at the time of creation of this account and the account is registered using **COMER's** name and social security number.

15. PayPal account 1668322399082071573 is registered in **COMER's** name and with his date of birth and social security number ("COMER's PAYPAL ACCOUNT").

C. COMER and MV-4

16. Minor Victim 4 ("MV-4") is currently a 13-year-old person who resides in North Carolina. MV-4 reported to law enforcement that MV-4 sold sexually explicit images and videos of MV-4 through Snapchat and other means to many recipients.

17. A consensual search of MV-4 cell phone was completed.¹ The review found that, in or around March 2024, MV-4 communicated with COMER's CELL PHONE NUMBER, and that COMER's CELL PHONE NUMBER requested specific sexually explicit material from MV-4.

18. For example, below are the recovered messages sent by COMER's CELL PHONE NUMBER to MV-4:

3/12/2024 2:23:14AM:	Wyd
3/17/2024 9:32:54AM:	Hey how are you
3/18/2024 12:09:53AM:	Just ok?
3/19/2024 3:12:13AM:	Wyd
3/19/2024 4:24:17AM:	Hmu if I can buy baby

¹ MV-4 attempted to delete her text messages with COMER's CELL PHONE NUMBER but law enforcement was able to recover certain messages that COMER's CELL PHONE NUMBER sent to MV-4, but not messages that MV-4 had sent to COMER's CELL PHONE NUMBER. The messages recovered range from on or about March 12, 2024, to April 7, 2024.

3/19/2024 3:56:34AM:	Your Apple Pay working
3/19/2024 11:51:05AM:	Ok what's available gorgeous. And do you need
Hulu?	
3/20/2024 6:50:21AM:	Fu I passed out
3/20/2024 11:05:42AM:	I don't have the list anymore. How much is so
good videos babe	
3/21/2024 2:06:29AM:	Does your sex videos show those perfect breast
babe	
3/21/2024 9:08:24PM	Ok what should I get gorgeous
3/23/2024 4:19:09AM:	: (
3/23/2024 2:19:33AM:	Baby I'm horny and wanna spoil you
3/23/2024 4:19:09AM:	: (
3/23/2024 10:33:26AM:	Wym babe
3/23/2024 4:11:06AM:	Wyd gorgeous
3/24/2024 9:58:14AM:	Hey gorgeous
3/24/2024 3:37:10PM:	Smokin. Wbu?
3/24/2024 5:24:40PM:	I'm sorry : (
3/25/2024 3:19:42AM:	How are you feeling beautiful
3/25/2024 3:35:50AM:	What I get for like 75
3/26/2024 6:59:16AM:	I want something with those perfect breasts
3/27/2024 2:25:11AM:	Hru gorgeous
3/27/2024 10:33:34PM:	Hey beautiful. Hru
3/27/2024 10:35:51PM:	About the same. You feeling better at least?
3/27/2024 11:10:11PM:	I'm sorry : (
3/27/2024 11:10:31PM:	Let me take you on a cruise and you'll feel better
lol	
3/27/2024 11:37:09PM:	Wyd beautiful
3/28/2024 1:13:00AM:	Same. Boring asf really
3/28/2024 3:07:12AM:	Wyd tomorrow
3/29/2024 12:25:40AM:	Hey beautiful. How are you
3/29/2024 4:28:01AM:	Damn I need you now lol

3/29/2024 6:32:49AM: Wyd today beautiful

3/29/2024 8:23:30PM: Same. Getting high asf

3/29/2024 9:17:28PM: Well I'll bring you some lol

3/30/2024 12:04:24AM: Baby I wanna spend some money on you tonight

3/30/2024 12:05:07AM: You ever do anything live?

3/30/2024 12:06:06AM: Like just having your breast out and saying things to me I'd pay If not I want a dildo video

3/30/2024 12:09:21AM: Ok babe

3/30/2024 12:09:35AM: If you ever wanna do a live I'd pay \$100

3/30/2024 12:09:49AM: Can we do a dildo deal

3/30/2024 12:11:33AM: Ok

3/30/2024 12:38:07AM: No I have a riding and a strip because the other was deleted when you lost that one snap

3/30/2024 12:38:26AM: Ok bet. I'll even do 70 cause your perfect

3/30/2024 12:41:37AM: How you want me to pay babe

3/30/2024 1:25:42AM: Sorry my weed man came lol

3/30/2024 1:26:02AM: Attachment: 1 Image

3/30/2024 1:27:13AM: God it smells so good

3/30/2024 1:28:21AM: So back to my fun for the night

3/30/2024 4:24:11AM: Damnit weed lol

3/31/2024 11:45:19AM: Wyd beautiful

4/1/2024 12:06:08AM: Just smoked. Watching tv lol. Bored asf

4/1/2024 1:06:44AM: Ig

4/1/2024 3:24:16AM: U asleep gorgeous

4/1/2024 3:50:36AM: Can I buy that now lol

4/1/2024 4:36:05AM: Ok bet

4/1/2024 4:36:33AM: Damn

4/1/2024 4:36:37AM: Ok

4/1/2024 4:38:02AM: What is your PayPal babe

4/1/2024 4:38:02AM: Ok babe

4/1/2024 4:42:14AM: What did we say

4/1/2024 4:43:20AM: Can I do 50 and 20 after the videos are sent
babe

4/7/2024 4:46:01AM: U ok

19. MV-4 and COMER's CELL PHONE NUMBER agreed that MV-4 would send COMER's CELL PHONE NUMBER a video of MV-4 using a sex toy in exchange for \$70.

20. COMER's CELL PHONE NUMBER also wrote that he had other CSAM of MV-4 – “No I have a riding and a strip because the other was deleted when you lost that one snap,” confirming receipt of prior CSAM from MV-4

21. On or about April 1, 2024, COMER's CELL PHONE NUMBER requested MV-4's PayPal account information to send payment to MV-4.

22. Prior to the above communications, in November 2023, COMER's PAYPAL ACCOUNT sent approximately \$40 to a PayPal account that that is registered to MV-4.

23. During the interview of MV-4, MV-4 acknowledged that MV-4 had multipole Cash App accounts, some of which had been deactivated. Some of the accounts had the status of “Amount exceeded receipt monthly receive limit” and others had the status of “Amount exceeded monthly transaction limit”. MV-4 advised agents in the interview that when a Cash App account got blocked, MV-4 would create a new one and continue.

24. It was initially suspected that COMER only had two Cash App accounts, however, recent records obtained by law enforcement reflect an additional 30 Cash App accounts linked to COMER. Additionally, the investigation has revealed that COMER used a variety of payment platforms in his name, including Venmo, Apple Pay, PayPal. COMER uses multiple platforms with victims, making it difficult to confirm which platform was used for specific payments for CSAM. Based on my review of certain images of MV-4 that were recovered from MV-4's phone,

and based my training and experience, MV-4 appeared to be a minor who was under the age of eighteen years old.

25. Based on my training and experience, it is expected that a person using a cell phone to request CSAM material has reason to know that the material will travel via interstate commerce.

26. On July 16, 2024, the Court approved a search warrant for COMER's person, premises, and devices ("Search Warrant")(5:24mj00048). The Search Warrant was served on or about the morning of July 17, 2024, and during which time, COMER was interviewed and COMER's cell phone was reviewed for CSAM². After being advised of his *Miranda* rights, COMER admitted to possessing CSAM and CSAM was viewed on COMER's cell phone. COMER also admitted to paying minors for CSAM.

F. Conclusion

27. Based on the foregoing, there is probable cause to believe MICHAEL ANTHONY COMER violated 18 U.S.C. § 2422(b). Therefore, I respectfully request that the Court issue an arrest warrant for MICHAEL ANTHONY COMER.

² COMER provided the password for his cell phone and identified the location of CSAM on said cell phone.

OATH

The information in this affidavit is true to the best of my knowledge and belief.

/s/ Benjamin W. Thorn

BENJAMIN W. THORN

Special Agent

Homeland Security Investigations

Received by reliable electronic means and
sworn to before me over the telephone and
signed by me pursuant to Fed. R. Crim.
P. 4.1 on this 17th day of July 2024.



HONORABLE JOEL C. HOPPE
UNITED STATES MAGISTRATE JUDGE